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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 001162

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TAGS: [PGOV](#) [PINS](#) [PINR](#) [PHUM](#) [RP](#)

SUBJECT: GRP KEEPS UP PRESSURE ON ACCUSED LAWMAKERS

REF: A. MANILA 1021

[1](#)B. MANILA 0918

[1](#)C. MANILA 889

Classified By: Acting Pol/C Joseph L. Novak for reasons
1.4 (b) and (d).

[1](#)1. (C) Summary: The GRP has presented its first witness in a prosecution probe of five left-wing lawmakers accused of sedition in connection with an alleged plot to overthrow the government in February. The five remain ensconced at the House of Representatives. On March 13, a trial court ordered the release of leftist Congressman Crispin Beltran, who was arrested on charges of inciting to sedition on February 25 right after the imposition of a State of National Emergency. Beltran remains in custody, however, pending further police investigation. The government is clearly intent on pressing forward with its cases against the six representatives, who -- based on our soundings -- do not mind the notoriety they are receiving. End Summary.

GRP Presses Case vs. "Batasan Five"

[1](#)2. (U) On March 13, the Philippine National Police (PNP) presented their first witness in a probe by Department of Justice (DoJ) prosecutors into charges of rebellion filed against five left-wing "party list" representatives. (Note: These lawmakers are known as the "Batasan Five" -- a reference to the Batasang Pambansa complex where the House of Representatives meets and where the five have been staying since late February. End Note.) Appearing at a hastily-convened panel at the complex, former New People's Army (NPA) member Jaime Fuentes -- who wore an improvised hood made from a brown sports shirt throughout the proceeding -- claimed to have witnessed "a secret" meeting in February 2006 involving the five accused lawmakers and NPA cadre in a discussion of a plan to oust President Arroyo. Fuentes testified that NPA leaders also met with former social welfare secretary Corazon "Dinky" Soliman and other members of the Opposition to discuss similar plans. None of the accused lawmakers were present at the proceedings. After the brief hearing, government lawyers delivered copies of the rebellion complaint filed by police to the House offices of the accused with instructions that they have ten days to respond to the charges by filing a counter-affidavit.

[1](#)3. (C) In a March 13 meeting at her office in the House, Gabriela representative Liza Maza told poloff she believed the DoJ was "railroading" her and the other accused lawmakers. She said the Arroyo administration had prejudged

the case, as evidenced by what she said were prejudicial comments made by GRP officials to the press. Maza accused the GRP of ignoring due process in threatening to arrest her and the other accused representatives without warrants. She also showed poloff a copy of the subpoena for the preliminary investigation's panel's hearing earlier that day; it was issued only hours before the hearing started. Maza -- who appeared tired but quite determined in countenance -- accused the government of acting in "bad faith" and said the preliminary investigation was nothing more than "a sham." She expressed confidence that the government did not have strong evidence that she or any of her colleagues had broken the law, but said she expected that arrest warrants would be issued soon for the accused lawmakers nonetheless.

14. (U) In the meantime, the "Batasan Five" remain ensconced in the House of Representatives compound in Quezon City, though they have moved into their own offices. (Note: The five were initially staying in the chambers of House Speaker Jose de Venecia. The accused lawmakers remain under the "protective custody" of De Venecia while the DoJ conducts its preliminary investigation. End Note.) Supporters of left-wing parties are trying to use the charges as a rallying point against the government. Many posters and signs supporting the accused lawmakers were in evidence at the House compound. Supporters -- clearly worried about the potential for police moves to arrest the five -- are on edge: Poloff was briefly stopped by a small group of Maza's supporters who are camped outside her office before she gave the word allowing him to enter.

Judge Orders Release of Beltran

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15. (C) In other news related to legal cases against party list lawmakers, the Quezon City Metropolitan Trial Court ordered the release of left-wing representative Crispin Beltran, who was arrested on charges of inciting to sedition on February 25 right after the imposition of a State of National Emergency. Judge Evangeline Castillo-Margomen said in her March 13 ruling that she found no basis for Beltran's continued detention. Despite the ruling, the PNP has announced that it intends to continue to hold Beltran at a maximum-security facility located at police headquarters at Camp Crame in Manila, stating that he still faces another charge of rebellion before the Makati City Regional Trial Court. In a March 10 meeting, Congressman Gilberto Teodoro told Acting Pol/C that he doubted that Beltran would be released any time soon, though he predicted the possibility of adverse court rulings for the GRP: "I think the government will work to make sure he remains in detention by constantly filing new charges, if necessary. However, the court system will make the government show its evidence and really demonstrate that it is appropriate for him to be kept under lock and key."

Comment

16. (C) The government is clearly intent on pressing forward with its cases against the six representatives. As reported (also see septel), the government is constantly pressing the view that the New People's Army, assisted by its leftist allies in Congress, were in cahoots with elements of the military in a plot which necessitated the declaration of the State of National Emergency. To back down regarding the "Batasan Five" and Beltran at this stage, would be an embarrassment for the GRP. This situation does not seem to bother the party list representatives, who are enjoying all the press play and their increased notoriety. They also feel that the government is coming off as unbending and dictatorial, which is fine with them. If the five

representatives now staying at the Congress join Beltran and are arrested -- which seems to be where events are headed -- tensions would probably spike, with the left trying to stir things up a bit on the streets ahead of May Day.

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